🗣 Sterne Kessler **Goldstein Fox**

ATTORNEYS AT LAW



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michele A. Cimbala Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone Michael V. Messinger

Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Donald R. Banowit Peter A. Jackman Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Floyd Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Joseph S. Ostroff Frank R. Cottingham Christine M. Lhuller Rae Lynn Prengaman Rae Lynn Prengamar Jane Shershenovich* Lawrence J. Carroll* George S. Bardmess Daniel A. Klein* Rodney G. Maze Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller Jon E. Wright*

LuAnne M. Yuricek

Registered Patent Agents -Karen R. Markowicz Karen R. Markowic Nancy J. Leith Helene C. Carlson Gaby L. Longsworth Matthew J. Dowd Aaron L. Schwartz Angelique G. Uy Mary B. Tung Katrina Y. Pei Bryan L. Skelton Robert A. Schwartzman Timothy A. Doyle Jennifer R. Mahalingappa Jeffrey S. Lundgren Victoria S. Rutherford

Of Counsel Kenneth C. Bass III Evan R. Smith

*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

June 12, 2003

WRITER'S DIRECT NUMBER: (202) 772-8544 INTERNET ADDRESS: MCIMBALA@SKGF.COM

Art Unit 1636

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/903,508; Filed: July 13, 2001

Transformation Systems for Flavinogenic Yeast For:

Inventors:

Abbas et al.

Our Ref:

1533.0830003/MAC/RGM

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Sir:

Transmitted herewith for appropriate action are the following documents:

- Third Supplemental Information Disclosure Statement; 1.
- A listing of the cited documents on form PTO-1449; 2.
- Copies of the cited documents listed on form PTO-1449 (AO1, AR17, AS17, AT17, 3. AR18, AS18 and AT18), and
- Return Postcard. 4.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Michely A. Combas

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala Attorney for Applicants

Registration No. 33,851

MAC/RGM:krm **Enclosures**

SKGF DC1:143948.1

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Confirmation No. 3856 Confirmation No. 3856 TCHCENTER 1800290

In re application of:

Abbas et al.

Appl. No. 09/903,508

Filed: July 13, 2001

For: **Transformation Systems for**

Flavinogenic Yeast

Atty. Docket: 1533.0830003/MAC/RGM

Third Supplemental Information Disclosure Statement

Commissioner for Patents Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on July 18, 2002 in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, concise explanation of the relevance of the non-English language document AO1 cited on Form PTO 1449:

Document AO1, WO 91/18103 A1 is in the French language and appears to relate to a method of electroporation. An English language abstract can be found on the face page of this publication.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala Attorney for Applicants Registration No. 33,851

miches A. Cimber

Date: June 12, 2003

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

SKGF_DC1:120754.1

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

DATE CONSIDERED

FORM PTO-1449 THIRD SUPPLEMENTAL				ATTY. DOCKET NO. 1533.0830003/MAC/ APPLICANT Abbas et al.	NO. PILING DAY				
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	AR	<u>17</u>	Faber, K.N., et al., "Highly-efficient electrotransformation of the yeast Hansenula polymorpha," Curr. Genet. 25:305-310, Springer-Verlag (1994)						
	Seifert, H.S., et al., "Shuttle mutagenesis: A method of transposon for Saccharomyces cerevisiae," Proc. Natl. Acad. Sci. USA 83:735-739 National Academy of Sciences (1986)						n mutagenesis		
	AT	<u>17</u>	Tan, X., et al., "The Hansenula polymorpha PER8 Gene Encodes a Novel Peroxisomal Integral Membrane Protein Involved in Proliferation," J. Cell Biol. 128:307-319, The Rockefeller University Press (1995)						

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

EXAMINER



FORM PTO-1449

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO 1533.0830003/MA	APPLICATION NO. 09/903,508			
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